

CHAPTER 151 QUARRIES

[HISTORY: Adopted 4-18-1995 Annual Town Meeting, Art. 8, approved 10-27-1995. Amendments noted where applicable.]

§ 151-1. SAFEGUARDS; POSTING OF PREMISES.

All owners, lessees, operators, managers, persons or corporations having control of any sand bank, pit or quarry within the town which, in the judgment of the Board of Selectmen, constitutes or contains a hazard are hereby ordered, directed and required to erect and maintain a suitable safeguard around such excavated areas being or formerly used as a sand bank, pit or quarry, except through gates therein, said safeguard to be in the form of a fence at least six (6) feet in height of steel wire mesh or other construction approved by the Town Building Commissioner and/or local inspector adequate for the purposes above named, and they are further ordered, directed and required to keep the gates in said fence locked at all times, except during business hours, and they are further ordered, directed and required to keep said premises posted against trespassers, said signs to contain adequate notice that trespassers will be dealt with according to law.

§ 151-2. VIOLATIONS AND PENALTIES.

Any person or persons, association or corporation violating this chapter or any section or provision thereof, or refusing or neglecting to comply with the provisions thereof, shall be guilty of a misdemeanor, which shall be punishable by a fine of not more than twenty dollars (\$20.) for each violation. When a violation of this chapter is continuous, each twenty-four (24) hours thereof shall constitute a separate and distinct offense and violation.

CHAPTER 157 SALES

[HISTORY: Adopted 4-18-1995 Annual Town Meeting, Art. 8, approved 10-27-1995. Amendments noted where applicable.]

ARTICLE I

Yard Sales

§ 157-1. DEFINITIONS.

As used in this Article, the following terms shall have the meanings indicated:

YARD SALE - The sale or offering for sale of ten (10) or more items of personal property at any one (1) residential premises at any one (1) time, excluding such sales as may be conducted by a bona fide charitable organization, religious or fraternal society or other tax-exempt organization.

§ 157-2. RESTRICTIONS.

Unless specific written authorization is given by the Police Department, not more than three (3) such sales shall be held on any one (1) residential premises in each calendar year, and any such sale shall not continue for more than two (2) consecutive days. Yard sales shall not be conducted before 8:00 a.m. or after sunset. No yard sales shall be held on Sundays or holidays when the Sunday Law¹ applies, except nonprofit organizations.

§ 157-3. WRITTEN PERMISSION REQUIRED.

As a condition precedent to any such sale, written permission for the holding of said sale must be secured from the Police Department at least three (3) days prior thereto.

§ 157-4. VIOLATIONS AND PENALTIES.

Any person violating any of the provisions of this Article shall be punished by a fine not exceeding twenty-five dollars (\$25.) for each offense. Each day that a violation hereof exists shall be deemed a separate offense.

ARTICLE II

Sales by Nonowners

§ 157-5. PERMISSION OF PROPERTY OWNER REQUIRED; REGISTRATION.

In a business district, no product shall be displayed or offered for sale by a nonowner or nontenant of the building or lot, except by permission of the owner of the property and the registration of said operation with the Board of Selectmen. Said registration shall include a copy of the written permission by the owner, together with a bond or other surety in an amount as set by said Board of Selectmen.

¹ Editor's Note: See MGL C. 136.

CHAPTER 161 SEWERS AND DRAINAGE

[HISTORY: Adopted 4-18-1995 Annual Town Meeting, Art. 8, approved 10-27-1995. Amendments noted where applicable.]

GENERAL REFERENCES

Streets and sidewalks — See Ch. 166.

Water — See Ch. 192.

§ 161-1. DRAINS AND CONDUITS.

No person shall construct or maintain any drain or conduit from any house, shop or other building, or from any vault, cesspool or cistern, to or upon any street or way so as to discharge water or other matter in or upon any such street or way, except when permitted in writing so to do by the Board of Health, under a penalty of not less than two dollars (\$2.) nor more twenty dollars (\$20.).

§ 161-2. GRASS AND TRASH RACKS.

No person shall remove, damage, destroy or cause to be injured a grass and trash rack at or near any culvert maintained by the state or town, under penalty of a fine not to exceed twenty dollars (\$20.).

§ 161-3. SUBDIVISIONS WITHOUT PUBLIC SEWERAGE.

In all subdivisions where public sewerage is not available, drainage work shall be completed and approved by the Planning Board prior to the conducting of soil and percolation tests on any lot therein.

CHAPTER 166 STREETS AND SIDEWALKS

[HISTORY: Adopted 4-18-1995 Annual Town Meeting, Art. 8, approved 10-27-1995. Amendments noted where applicable.]

GENERAL REFERENCES

Sewers and drainage — See Ch. 161.

Vehicles and traffic — See Ch. 179.

§ 166-1. OBSTRUCTIONS.

No person shall:

- A. Place or cause to be placed, in any public place, street or private way or in any running stream or body of water, any dirt, rubbish, wood, timber or other materials tending to cause obstruction, or deposit garbage, carrion, filth or offal, except in such places as shall be permitted by the Board of Health, under a penalty of not less than three hundred dollars (\$300).
[HISTORY: Amended 5-14-2001 ATM, Art. 85, approved 7-24-2001]
- B. Place leaves or cause leaves to be placed, by raking, onto any public way. No person engaged in the removal of snow shall, under any circumstances, cause said snow to be deposited so as to obstruct any public way or sidewalk. The penalty for violation of this subsection shall be \$300 for each offense.
[HISTORY: Amended 4-26-2004 ATM, Art. 6, approved 7-20-2004]
- C. Pasture or tether any animal in any street in the town in such a manner as to obstruct the street or sidewalk, under a penalty of not less than \$2 nor more than \$20.
- D. Obstruct the free, open and convenient use of any sidewalk, for travel by the public, by occupying the same with goods, wares, merchandise or other chattels or by trucks unloading merchandise or by using the same as a place of resort, amusement, recreation or business.
- E. Use or occupy part of a public street or sidewalk for the purchase, sale, storage or display of merchandise or other articles except by license of the Board of Selectmen.
- F. Deliver, place or cause to be delivered or placed, upon any sidewalk in this town, any coal, truck, bale, box, crate, barrel, package, bundle or any other article or thing so as to obstruct the free, open and convenient use of such sidewalk or any part thereof for more than 30 minutes at one time or for more than 10 minutes at one time after being notified to remove such obstruction by a police officer.
- G. Cause any equipment or piece of machinery to be placed on or cross a curbing or sidewalk without prior approval of the Highway Superintendent or his/her agent. Failure to do so will result in a fine of \$25, and said person will be obligated to repair the damage. Excepted from the above is that portion of a sidewalk which is within the limit of a driveway.
- H. Any person removing or clearing snow whether by snow plowing, snow blowing, shoveling or any other kind of snow removal, whether mechanical or manual, who deposits or leaves snow so removed in a public way, whether or not such snow deposits physically obstruct the flow of traffic on such public ways, shall be punished by a fine or penalty of \$300.
[HISTORY: Added 4-26-2004 ATM, Art. 6, approved 7-20-2004]
- I. Each of the foregoing sections of this section 166-1 Bylaw may be enforced by any police officer, using the non-criminal ticketing disposition process of section 1-6 of the General bylaws of the town.
[HISTORY: Added 4-26-2004 ATM, Art. 6, approved 7-20-2004]

§ 166-2. CONSTRUCTION AND DEMOLITION DEBRIS.

Any person who intends to erect, alter, repair or take down any building or part thereof on land abutting on any street or public place in this town and who desires to make use of such street or place for the purpose of placing thereon building materials or rubbish shall give notice thereof to the Selectmen. Thereupon, the Selectmen may grant a permit to occupy such a portion thereof to be used for such purposes as in their judgment the necessity of the case demands and the security of the public allows, such permit to run for not longer than 60 days and to be on such conditions, and by furnishing such security, by bond or otherwise, for the observance and performance of the conditions and for the protection of the town, as the Selectmen may require, and especially, in every case, upon condition that during the whole of every night, from sunset in the evening until sunrise in the morning, proper lights shall be so placed as to effectively secure all travelers from liability to injury. Such permit may be renewed at the discretion of the Selectmen.

§ 166-3. COASTING.

- A. No person shall coast upon any sidewalk in the town, nor shall any person coast upon any of the public ways of the town except upon such street as the Selectmen may designate each year by public notice.
- B. Said streets may be protected by barriers, and any unauthorized person or persons moving such barriers shall be subject to a fine of not more than \$20 for each offense.

§ 166-4. AWNINGS AND SIGNS.

No person shall place, over any sidewalk, any awning, shade or signboard less than seven feet from the ground at the lowest part or construct or maintain any awning, shade or signboard extending beyond the line of the sidewalk, and for any offense against this section an offender shall pay a fine of \$10.

§ 166-5. BREAKING GROUND; TREES AND STRUCTURES.

No person shall break or dig up or aid in breaking or digging up the ground in any street or square in the town or set up any post, fence, tree or edgestone in any street or square in the town without a permit from the Selectmen, under a penalty of not less than \$2 nor more than \$20 for such offense.

§ 166-6. DRIVEWAYS.

No driveway shall be located within five feet of a hydrant, utility pole or catch basin.

§ 166-7. NUMBERING OF BUILDINGS.

[Added 4-16-1996 ATM, Art. 6,¹ approved 7-29-1996]

- A. It shall be the duty of the Town Engineer to assign a number to all buildings on the streets of the town.
- B. The Town Engineer shall prepare and keep on file in his or her office a plan showing the streets and the location of all numbered lots in the town. Such numbers shall cover a frontage of from 50 feet or more, at the discretion of the Engineer, measuring from end to end of the street. Whenever one number shall be insufficient to particularly designate additional tenements or buildings on the premises comprised within a given frontage to such additional tenement or buildings shall be assigned, in conjunction with the usual and proper number, the letters of the alphabet, in their order, one letter to each such additional tenement or building.
- C. The odd numbers shall be placed on the right hand side and the even numbers on the left hand side of all streets following the direction of the numerical order from the beginning.
- D. The owner and occupant of every tenement and building situated on any street in the town shall cause to be placed and maintained on or over the outside doors fronting the street or on front corners of every tenement or building having their entrances on the side thereof such number or numbers, letter or letters as may be assigned thereto by the Town Engineer under any of the provisions of this section, such number or letter not to be less than two inches in height and to be placed so as to be easily observed from the street in front of the premises.
- E. If the owner or occupant of any tenement or building fails to number the same in accordance with the provisions of this section, it shall be the duty of the Town Engineer to place the proper number or numbers, letter or letters thereon, and the cost thereof may be assessed upon such owner or occupant.
- F. Whoever shall refuse or neglect to comply with the provisions of this section within 30 days after a notice in writing delivered to the owner or occupant of such tenement or building of the number or numbers, letter or letters, so assigned by the Town Engineer shall, for each and every offense, be subject to the penalty of \$5 per day for each day that it is not done for each offense.

166-8.

Any person, firm, corporation, partnership, their agents and employees, who has been granted, or may be granted, any license, permission, or other authority to construct or to maintain poles and overhead wires and associated overhead structures upon, along, under or across any public ways, is forbidden from installing or constructing, and shall remove immediately any poles, overhead wires and associated overhead structures which are located on, along, or across the following section of roadway described below:

South Main Street Northerly from Pole 9 to Crawford Square
North Street Easterly from Crawford Square to Pole 5 Short Street
North Main Street Easterly on Short Street, Poles 1 through 5
North Main Street Northerly from Crawford Square to Pole 20121 at the bridge
North Main Street Northerly from the bridge to Pole 28 at West Street
North Main Street Northerly from West Corners to Pole 130 at Oliver Street
Warren Street Westerly from North Main Street to Pole 8 at the intersection of Highland Avenue
Highland Avenue Southerly from Warren Street to Pole 8 at Memorial Parkway
Memorial Parkway Easterly from Highland Avenue to Pole 3 at North Main Street
Union Street Northerly from Pole 3 to Crawford Square

[Added 4-25-05 ATM, ART. 6, Approved 10-18-05]

A. Purpose.

[Added 4-25-05 ATM, ART. 7, Approved 10-18-05]

This Section 166-9 requires Business Establishments using Shopping Carts or similar devices shall install and maintain a system to retain the Shopping Carts within the property boundaries of the Business Establishment. The Building Inspector and the Director of Public Works Department are authorized to implement and enforce these sections.

B. Definitions.

Unless specifically indicated otherwise, these definitions shall apply and control in this Section 166-9.

- (1) Business Establishment includes but is not limited to a grocery store, supermarket, drug store, pharmacy, department store, discount store, variety store, or other retail establishment which supplies Shopping Carts for the use of its customers.
- (2) Building Inspector means the Town's duly appointed building inspector or his/her designee or agent.
- (3) Director of Public Works means the Director of the Public Works Department or his/her designee or agent.
- (4) Owner means the owner of a Business Establishment if it is owner-operated or the manager of a Business Establishment if it is not owner-operated.
- (5) Parking Lot means any parcel of land owned, leased, or other wise under the direction and control of the Owner and used for parking motor vehicles related to the daily operations of the Business Establishment and shall include the areas of ingress and egress.
- (6) Permanent Identity Tag means a tag, label, plate, or other form of identification that is affixed to a Shopping Cart and designed to be removed/removable only by the Business Establishment. The Permanent Identity Tag shall state the name of the Business Establishment, the address of the Business Establishment, and the telephone number of the Business Establishment. The name, address, and telephone number on the permanent Identity Tag shall be of the neighborhood Business Establishment rather than a state, regional, or national headquarters, except that Business Establishments using a total of more than three hundred fifty (350) Shopping carts at more than two (2) locations within the Town of Randolph (the "Town") may place a central telephone number on the Permanent Identity Tag as long as that telephone number is within the Town's area code.
- (7) DPW means the Department of Public Works or its successor.
- (8) Shopping Cart or Cart includes but is not limited to that type of mobile vehicle used for transportation and portage by human propulsion of goods or merchandise in and about markets, stores, shopping centers, malls, and other Business Establishments.

C. On-Site Retention.

- (1) Each and every Shopping Cart used by a Business Establishment shall have affixed thereto a Permanent Identity Tag. A first violation of this section shall be subject to a warning, and each subsequent violation of this section shall be subject to a fine of twenty dollars and no cents (\$20.00). Each cart not in compliance with this subsection shall be considered a separate violation.
- (2) Each and every Business Establishment shall implement and maintain system to retain all shopping Carts within the property boundaries of the Business Establishment including Parking Lot. The Business Establishment shall provide signage in a conspicuous location in the premises which clearly notifies Shopping Cart users of the specific retention system in place and how the retention system operates.
- (3) Each method included in this subsection shall be considered to be an example of an on-site retention method complying with these sections. If the Business Establishment has a method for retention that is not delineated as an example herein, then an Owner may submit a plan to the Building Inspector that satisfies the intent of these sections to retain Shopping Carts on the premises of the Business Establishment and/or its Parking Lot or to ensure the immediate retrieval of Shopping Carts outside of the Business Establishment and/or its Parking Lot; no plan submitted by an Owner to the Building Inspector shall be valid until approved in writing by the Building Inspector. Examples of methods and/or plans are as follows:
 - (a) a physical barrier, such as bollards, restricting Shopping Carts to a portion of the exterior of the Business Establishment, but physical barriers shall not interfere with fire lanes, handicap access, or similar building features;
 - (b) a protruding vertical arm, or other similar or similarly-functioning device, attached to the Cart which prevents the Cart from being removed from the interior of the Business Establishment.
 - (c) a system, which may be mechanical in nature, requiring the Cart user to remit collateral, including but not limited to a returnable monetary deposit to use a Shopping Cart; the collateral shall be reasonable in scope and shall not unreasonably deter the use of the Cart but instead encourage the user's return of the Cart the collateral shall be returned to the user upon the user's return of the Cart

- (d) a wheel-locking mechanism installed in the Cart that is commonly used in conjunction with an electronic barrier along the perimeter of a Business Establishment and which mechanism is activated upon the Cart's approach or passing through the electronic barrier;
 - (e) an attendant or attendants whose sole responsibility is to manage and/or return the Business Establishment's Shopping Carts from the exterior premises of the Business Establishment and areas immediately adjacent thereto to the interior premises of the Business Establishment or another exterior area of the Business Establishment dedicated to the containment of Shopping Carts;
 - (f) other similar methods or plans submitted by an Owner for the approval of the Building Inspector which would satisfy the intent of these sections to retain Shopping Carts on the premises of the Business establishment and/or its Parking Lot or to ensure the immediate retrieval of Shopping Carts outside of the Business Establishment and/or its Parking Lot.
- (4) No Business Establishment shall allow Shopping Carts to congregate or "stack up" in such a manner as to impede ingress to or egress from the Business Establishment or any public or private way adjacent to the Business Establishment.
 - (5) Prior to the close of each business day, every Business Establishment shall collect and secure its Shopping Carts on its premises, including its Parking Lot. This action shall be commenced no sooner than (15) minutes prior to the close of each business day.
- D. Removal of Shopping Carts
- (1) Any unattended Shopping Cart found outside the perimeter of a Business Establishment or its Parking Lot may be removed and impounded by the Department of Public Works, the Building Inspector, or an agent thereof. The enforcement personnel removing the Cart shall make a written report that identifies himself/herself as well as the date, time, and location of the Cart at time of the removal; this report may take the form of a tag attached to the Cart; a copy of the report shall be immediately forwarded to the Building Inspector.
 - (2) Within a reasonable time but not more than three (3) business days after removal, the Building Inspector shall notify the Owner of the removed Cart using the information provided on the Permanent Identity Tag attached. If the Cart does not have a Permanent Identity Tag then the Building Inspector may attempt to notify the Owner of the removed Cart if the identity of the Owner is known or reasonably discernible. Any notification of removed and impounded Shopping Carts shall be made in writing and shall include the date of removal, the location of removal, and the process for the Owner's retrieval of the Cart.
 - (3) Any Cart that does not have the Permanent Identity Tag attached and which is removed pursuant to these sections is deemed to be abandoned property and the Building Inspector may sell any such Cart at public auction and the proceeds shall inure to the Town, or destroy or otherwise dispose of any such Cart.
 - (4) No person shall remove a Shopping Cart from the a Business Establishment without the express written authorization of the Business Establishment. Any person that removes a Shopping Cart from a Business Establishment without the express written authorization of the Business Establishment, although subject to the criminal penalties in M.G.L. c.266, s. 30A, shall also be subject to a civil fine in the amount of fifty dollars and no cents (\$50.00). The Town's Police Department shall have non-exclusive authority to enforce this subsection.
- E. Retrieval of Shopping Carts.
- (1) An Owner or an Owner's agent may retrieve a Shopping Cart removed pursuant to Section 166-9.D. by appearing during normal business hours at the location stated in the notice required under Section 166-9.D.(2) and by paying (i.) a fee for the removal of the Cart(s) in the amount of twenty dollars and no cents (\$20.00) for each of the first three (3) Carts and forty dollars and no cents (\$40.00) for each additional Cart thereafter and (ii) a fee for the storage of the Cart(s) in the amount of ten dollars and no cents (\$10.00) per Cart per day.
 - (2) The obligation of the Building Inspector to release a Shopping Cart continues only as follows:
 - (a) if no hearing in accordance with Section 166-9.F. has been timely and properly requested and the Cart has not been retrieved then the obligation of the Building Inspector extends only thirty (30) calendar days after notice of removal has been mailed;
 - (b) if a hearing in accordance with Section 166-9.F. has been timely and properly requested then the obligation of the Building Inspector extends only fifteen (15) calendar days after a notice of decision of the Building Inspector has been made in accordance with section 166-9.

- (3) Any Shopping Cart that has not been retrieved by an Owner within the time periods contained in this section shall be deemed to be permanently abandoned, and the building Inspector may, in said his/her sole discretion, (i) continue to release such Carts to the Owner in accordance with Section 166-9.E., (ii) sell such Carts at public auction and the proceeds shall inure to the Town, or (iii) destroy or otherwise dispose of such Carts.
- (4) An Owner that does not retrieve a Cart and that has not petitioned for a hearing may be subject to additional fines and/or fees which may include a fee to dispose of the Cart of fifty dollars and no cents (\$50.00).

F. Fines.

— Unless otherwise specified in these sections, a violation of this Section 166-9 may be subject to the issuance of a warning for a first offense, a fine of twenty-five dollars and no cents (\$25.00) for a second offense, and a fine of fifty dollars and no cents (\$50.00) for any third or subsequent offense. Any fines and/or fees that remain unpaid by an Owner for more than twelve (12) months may become liens against the real estate of the Business Establishment. The provisions of M.G.L. C.40, s. 21D may be used to enforce these sections.

G. Appeal.

- (1) An Owner who has incurred a Shopping Cart-related warning and/or fee under these sections may obtain a hearing regarding the propriety of the warning and/or fee by making written petition to the Building Inspector for a hearing within fifteen (15) calendar days of receipt of the notice of removal pursuant to Section 166-9.D.(2). The Building Inspector shall provide written notice to the Owner of the date, time, and location of the hearing, and the hearing shall be held within thirty (30) calendar days from the date of the hearing request.
- (2) The Building Inspector shall act as the hearing officer and the decision resulting therefrom shall be final and subject only to judicial review.
- (3) The Building Inspector shall notify the Owner of the decision in writing within thirty (30) calendar days of the hearing.
- (4) Proceedings for review of the decision of the Building Inspector may be instituted in any court of competent jurisdiction within the Commonwealth of Massachusetts. The commencement of an action shall not operate as a stay of enforcement of said Building Inspector's decision, but the Building Inspector, at his/her discretion, may stay enforcement; the reviewing court may order a stay upon such terms as it considers proper as prescribed by M.G.L. c. 30A, s. 14.

H. Permits.

The Town may withhold the issuance of any permit if the applicant therefore is an Owner, or is acting on behalf of an Owner, of a Business Establishment that has an uncorrected violation and/or amounts due for an unpaid fine or an unpaid fee.

I. Stolen Property.

In their efforts to enforce the provisions of these sections, nothing in these sections shall be construed to prohibit, encumber, or impede DPW or the Building Inspector from reporting a discovery of stolen property to the Town's Police Department.

J. Regulatory Authority.

The Building Inspector and/or the Director of Public Works shall have the authority to promulgate rules and regulations necessary to implement and enforce these sections. The failure to promulgate such rules and regulations shall not affect the enforceability of this Section 166-9.

K. Effective Date.

Enforcement of fines, fees, and/or other penalties shall not be authorized until 6 months from time passage.

L. Severability.

If any provision of these sections shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

CHAPTER 176

VEHICLES, JUNK AND UNREGISTERED

[HISTORY: Adopted 4-15-1997 Annual Town Meeting, Art. 8,¹ approved 7-15-1997. Amendments noted where applicable.]

GENERAL REFERENCES

Removal of vehicles — See Ch. 182.

§ 176-1. JUNK VEHICLES.

No person, as owner or as one in control of a premises, unless licensed dealers as provided by law, shall keep in the open any vehicle which is worn out, discarded, ready for dismantling, collected or stored for salvage or for stripping unless such motor vehicle is properly registered with the Registry of Motor Vehicles. Any parts from such a vehicle shall be considered a junk motor vehicle for the purposes of the Code.

§ 176-2. UNREGISTERED VEHICLES.

The outdoor storage of more than one unlicensed or unregistered vehicles or any junk motor vehicle is prohibited.

§ 176-3. ENFORCEMENT AND DISPOSITION OF FINES.

- A. This section may be enforced pursuant to MGL c. 40, § 21D, by any police officer.
- B. The penalty for violations shall be \$50 each day on which the violation exists/continues.
- C. In addition to the foregoing, after a hearing of the facts, the Board of Selectmen may issue such orders as are necessary for the disposal of the vehicle and or parts. The owner of the vehicle and the owner of the property shall be given 14 days notice of such hearing.
- D. Any fine or penalty imposed by this section shall be a municipal charge under the lien created by MGL c. 40, § 58, the following: junk and/or unregistered vehicles.

[Added 11-3-1997 STM, Art. 25, approved 2-6-1998]

¹Editor's Note: This Article also repealed former Ch. 176, Vehicles, Abandoned, adopted 4-18-1995 ATM, Art. 8, approved 10-27-1995.

CHAPTER 179

VEHICLES AND TRAFFIC

[HISTORY: Adopted 4-18-1995 Annual Town Meeting, Art. 8, approved 10-27-1995. Amendments noted where applicable.]

GENERAL REFERENCES

Abandoned vehicles — See Ch. 176.

Removal of vehicles — See Ch. 182.

Storage of vehicles — See Ch. 185.

§ 179-1. BACKING ONTO STATE HIGHWAYS.

- A. In a business district abutting a state highway, no building shall be constructed so that it is necessary for a car to enter said highway from the available parking by backing a motor vehicle onto said highway. Before any building permit is issued to said building, the State Department of Public Works shall be notified in advance for its recommendations as to access and egress to and from the state highway.
- B. In a business district abutting a state highway, no person shall enter the same by backing a motor vehicle from the adjoining property into said highway.

§ 179-2. WARNING DEVICES ON TRUCKS.

All town-owned trucks, all town-hired trucks and all commercial trucks doing work on town projects or projects under inspection or supervision of town officials shall be equipped with an audible warning device or alarm which will be set off automatically whenever said above vehicles back up.

§ 179-3. PARKING FINES.

Parking fines shall be as follows:

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|----|------------------------------------|---------|
| A. | Within 10 feet of a hydrant: | \$15.00 |
| B. | Within an intersection: | \$10.00 |
| C. | Interfering with snow removal: | \$15.00 |
| D. | Fire station entrance: | \$30.00 |
| E. | On crosswalk: | \$15.00 |
| F. | On sidewalk: | \$15.00 |
| G. | Blocking driveway or private road: | \$10.00 |
| H. | Wrong direction: | \$10.00 |
| I. | Within 20 feet of an intersection: | \$10.00 |
| J. | Double parking: | \$10.00 |
| K. | Overtime parking: | \$10.00 |
| L. | Restricted area: | \$15.00 |
| M. | All-night parking: | \$5.00 |
| N. | Over 12 inches from curb: | \$10.00 |
| O. | In a bus stop: | \$10.00 |
| P. | In a taxicab stand: | \$10.00 |
| Q. | On a bridge: | \$10.00 |
| R. | Fire lanes: | \$50.00 |
| S. | Handicapped parking: | \$50.00 |

§ 179-4. PREEMPTORS FOR SIGNAL LIGHTS.

[Added 11-13-1996 STM, Art. 35, approved 3-13-1997]

Whenever new traffic signal lights are installed or renovations of existing traffic signal lights are proposed, preemptors for the Randolph Fire Department in connection with such signal lights shall be installed.

CHAPTER 182 VEHICLES, REMOVAL OF

[HISTORY: Adopted 4-18-1995 Annual Town Meeting, Art. 8, approved 10-27-1995. Amendments noted where applicable.]

GENERAL REFERENCES

Abandoned vehicles — See Ch. 176.

Storage of vehicles — See Ch. 185.

§ 182-1. AUTHORITY TO REMOVE; COSTS.

The Chief of Police, or the Chief's designated appointee having charge of ways, for the purpose of removing or plowing snow or for removing ice from any way, shall have the authority to remove or cause to be removed to some convenient place in the Town of Randolph, including in such term a public garage in the Town of Randolph, any vehicle interfering with such work, and said Chief of Police or the Chief's designated appointee having charge of ways is authorized to impose, upon the owner of such vehicle, liability for the cost of such removal and of the storage charges, if any, resulting therefrom.

CHAPTER 185 RESERVED

CHAPTER 188

VENDING MACHINES, PRINTED MATTER

[HISTORY: Adopted 4-18-1995 Annual Town Meeting, Art. 8, approved 10-27-1995. Amendments noted where applicable.]

§ 188-1. PERMIT REQUIRED.

No person, firm, corporation, association, partnership, trust or other type of entity shall place, install, use or maintain any printed matter vending machine on any public property without obtaining a written permit therefor from the Board of Selectmen.

§ 188-2. DEFINITIONS.

As used in this chapter, the following terms shall have the meanings indicated:

PRINTED MATTER VENDING MACHINE (hereinafter "machines") — Any coin- or token-operated box, container, stand, rack, storage unit or other dispenser or device installed, placed, used, operated or maintained for the display and sale or distribution of newspapers, periodicals or other printed matter for public use.

§ 188-3. APPLICATION; FEE.

The application for the permit shall fully and specifically describe the printed matter vending machine by setting forth its size by height, depth and width or any other relevant dimensions if varying in height, depth and width, the name and business address of the applicant, the exact date or dates said machine will be in place or in operation, the exact place where said machine will be located, the manner by which said machine shall be affixed or held in place and the description of any object to which said machine shall be affixed. Further reasonable information which may affect the public safety, health or order in the community may be requested from the applicant. An annual application fee, the amount of which will be determined upon passage of this chapter and annually thereafter by the Board of Selectmen, which fee will be reasonably related to the costs of processing said application, shall be paid for each machine licensed. The form of application shall be approved by the Town Counsel.

§ 188-4. INSURANCE REQUIRED.

A certification of insurance indemnifying and saving harmless the Town of Randolph from any loss or damage from all suits, actions and claims of any and every nature for or on account of any injuries or damage received or sustained by any person or company or other entity arising from the installation, use or maintenance of such machines shall be filed with the Board of Selectmen prior to its issuance of any permit hereunder; further, said policy will directly provide for payment to any person or company or other entity injured thereby.

§ 188-5. GRANT OR DENIAL OF PERMIT; HEARING.

- A. Within twenty (20) days of receipt of such completed application, the Board of Selectmen shall grant a permit or shall order a hearing within an additional ten (10) days, giving at least five (5) days' written notice to the applicant.
- B. Within ten (10) days next following the close of the hearing, the Board of Selectmen shall grant such permit or shall deny such application upon a finding that issuance of such a permit would lead to the creation of a nuisance or would endanger the public health, safety or order by:
 - (1) Unreasonably increasing pedestrian traffic in the area in which the machine is located; or
 - (2) Endangering the public safety by reason of the machine's projecting onto, into or over any part of the roadway of any public street; by reason of its being affixed to a site or location used for public utility purposes, public transportation purposes or governmental use; by reason of its being located in such a manner as to unreasonably interfere with or impede the flow of pedestrian or vehicular traffic, sidewalk or street cleaning and/or snow removal and the ingress or egress from any residence, place of business or any legally parked or stopped vehicle; or by reason of aesthetic harm and defacement caused by its being affixed to poles, posts, traffic signs or signals, hydrants, mailboxes or other objects at or near such location.

§ 188-6. LOCATION.

No machine shall be chained, bolted or otherwise attached to property owned or maintained by the Town of Randolph within three (3) feet of any crosswalk; within fifteen (15) feet of any fire hydrant; within five (5) feet of any fire or police call box or other emergency facility; within five (5) feet of any driveway, public or private; within three (3) feet ahead or fifteen (15) feet to the rear of any designated bus stop, taxi stand or place marked for handicapped parking; within three (3) feet of any bus bench or shelter; at any location whereby the clear space for the passageway of pedestrians is reduced to less than four (4) feet; or within three (3) feet of any display window of any building abutting the sidewalk or other public place in such a manner as to impede or interfere with the reasonable use of such window for display purposes.

§ 188-7. USE FOR ADVERTISING PURPOSES PROHIBITED.

No machine shall be used for advertising signs or publicity purposes, other than that which is essential to identify, on no more than two (2) sides of the machine, the printed matter offered for sale therein. No letter thereon shall exceed two (2) square inches in size.

§ 188-8. MAINTENANCE.

Each machine shall be maintained in a clean and neat condition and in good repair at all times, and it shall be of one (1) color that does not unnecessarily contrast with the immediate surroundings, except that the lettering may contrast with such one (1) color. No reflectorized paint, Day-Glo, fluorescent or scotchlite reflective materials or materials of like nature may be used on such machine.

§ 188-9. IDENTIFICATION.

The person who places or maintains such machine shall have his/her name or his/her Massachusetts agent's name, address and telephone number affixed thereto in a place where such information may easily be seen.

§ 188-10. TIME LIMIT FOR COMPLIANCE.

All persons who have placed or intend to place machines in the Town of Randolph shall have thirty (30) days from passage of the within chapter to comply with said provisions or such additional time as the Board of Selectmen may allow in its discretion.

§ 188-11. NOTICE OF DENIAL; PERMIT CONDITIONS.

Notice of the denial of an application for permit shall be in writing and accompanied by a statement of the reasons therefor. No application shall be denied if the anticipated harm is not significant or if the likelihood of its occurrence is remote. The Board of Selectmen may impose conditions upon the permit, but said conditions may only relate to compliance with the permit, applicable laws or ordinances or to public safety, health or order or to steps required to be taken to guard against creation of a nuisance or to ensure adequate safety and security for the public. No applicant having been denied a permit as aforesaid shall submit the same or similar application within one (1) year of said denial without including in said new application facts showing that the circumstances upon which the original denial was based have substantially changed.

§ 188-12. VIOLATIONS AND PENALTIES; ENFORCEMENT.

Violation of the terms and conditions in this chapter or in any permit granted hereunder shall be punishable by a fine of one hundred dollars (\$100.), and said violation shall be cause for cancellation, suspension, revocation or modification of the permit, after hearing, upon three (3) days' written notice sent by registered or certified mail to the name and address set forth in the annual application. The Town of Randolph may petition the Superior Court Department of the Trial Court to enjoin any violation of this chapter or the conditions in any permit granted hereunder. If, after hearing, the applicant fails to comply with the order of the Board of Selectmen, said Board of Selectmen may order the removal of said machines and place them in storage in a secure place. The cost of removal and storage shall be paid by the permit holder.

§ 188-13.ABANDONMENT.

If such machine is not used for the distribution of printed matter for a period of sixty (60) calendar days, the same shall be deemed as abandoned property and may be disposed of according to law.

CHAPTER 192 WATER

[HISTORY: Adopted 4-18-1995 Annual Town Meeting, Art. 8, approved 10-27-1995. Amendments noted where applicable.]

GENERAL REFERENCES

Water Commissioners — See Ch. 68.

ARTICLE I

Unpaid Charges

§ 192-1. FEE IMPOSED.

A lien fee of \$50 shall be added to those accounts certified by the Assessors as unpaid water charges which are added to real estate taxes under the provisions of MGL c. 40, § 42C.

§ 192-1.1. INTEREST.

[Added 4-16-1996 ATM, Art. 14, approved 7-29-1996]

The town shall accrue interest at the rate of 12% per annum on any water rate and/or sewer use charge which shall remain unpaid more than 30 days from the billing date.

ARTICLE II

Water Supply Emergencies

§ 192-2. PURPOSE.

This article is intended to preserve, maintain and increase the water supply of the Tri-Town Water System.

§ 192-3. AUTHORITY TO PROMULGATE RULES AND REGULATIONS.

Whenever a declaration of a state of water supply emergency or resulting order is legally declared and imposed on the Town of Randolph by an appropriate state or federal agency, or a water conservation emergency is declared by the Tri-Town Board of Water Commissioners (The Braintree Water and Sewer Commissioners, Holbrook Board of Selectmen/Board of Public Works, Town of Randolph Department of Public Works), said Tri-Town Board of Water Commissioners is authorized to promulgate such reasonable rules and regulations as are necessary to implement said declaration or order of water conservation emergency.

§ 192-4. VIOLATIONS AND PENALTIES.

Any person who is found, after a hearing before the Braintree Water and Sewer Commissioners, Holbrook Board of Selectmen/Board of Public Works or Town of Randolph Department of Public Works, respectively, to have violated any of said rules and regulations as promulgated by the Commissioners attendant to a declaration of a state of water supply emergency or resulting order or water conservation emergency shall, for each offense, be punished by a civil penalty of \$100. Each day such violation continues shall constitute a separate offense.

§ 192-5. ADMINISTRATION OF PENALTIES; WARNINGS.

- A. The Braintree Water and Sewer Commissioners, Holbrook Board of Selectmen/Board of Public Works and Town of Randolph Department of Public Works shall be the exclusive administrator for processing receipted violations of water usage restriction orders.
- B. There shall be one warning issued and recorded on an approved appropriate department administrative form. Said warning shall be sent by certified mail to the site of the violation. Subsequent violations recorded shall be punished by civil penalties as stipulated in § 192-4. Subsequent violations shall be recorded on an approved department administrative form which stipulates that a violation has been found and a civil penalty has been applied with mandatory payment of said civil penalty to be receipted by the appropriate department.

CHAPTER 196 WETLANDS

[HISTORY: Adopted 4-18-1995 Annual Town Meeting, Art. 8, approved 10-27-1995. Amendments noted where applicable.]

§ 196-1. PURPOSE.

The purpose of this regulation is to protect the wetlands, public water supplies, feeder sources and their tributaries and adjoining land areas in this municipality.

§ 196-2. PROHIBITED USES.

Other than as set forth as a permitted use or unless an order of conditions grants a variance, all adverse activities are prohibited within twenty-five (25) feet of any public water supply, brook, pond, stream, river, freshwater wetlands and any land subject to flooding having a significant or cumulative effect upon wetlands interests, including but not limited to those interests listed in MGL C. 131, § 40, as amended.

§ 196-3. PERMITTED USES.

Maintenance of existing structures, existing children's playgrounds and existing gardens and lawns, excluding chemical fertilizers, shall be permitted.

§ 196-4. VARIANCES.

The Conservation Commission may, in its discretion, grant variances from the operation of this chapter. Such variances are intended to be granted only in rare and unusual cases and may be granted only for the following reasons and upon the following conditions:

- A. The Conservation Commission may grant a variance from this chapter upon a clear and convincing showing by the applicant that any proposed work or its natural, consequential and cumulative impacts and effects will not have any adverse effect upon any area specified in this chapter.

CHAPTER 200 ZONING

Editor's Note: The Zoning Bylaw is produced as a separate document, see Town Clerk's office for details.

CHAPTER A201

ACCEPTANCES OF GENERAL LAWS

| <u>MGLC./Sec.</u> | <u>Chapter/Acts of</u> | <u>Adoption Date/Art. No.</u> | <u>Subject</u> |
|-------------------|------------------------|-------------------------------|-------------------------------------------------------------------------------|
| 21D | | ATM 5-25-2006/32 | Violation of Board of Health Rules & Regulations |
| 31, 49 | 399/1992 | ATM 3-3-1930/63 | Chief of Police |
| 32, 220 | | ATM 4-20-1993/6 | Retirement system funding schedule |
| 32, 85 | | ATM 3-19-1931/77 | Pensions for police officers and firefighters |
| 32, 85E and J | 351/1930 | ATM 3-15-1971/13 | Pension for Police Chief |
| 32, 90C | | ATM 3-19-1973/10 | Increase retirement allowance |
| 32B | | 1969 Election Question 2 | Insurance for town employees |
| 40, 6B | | ATM 3-6-1944/19 | Police and Fire Department uniforms |
| 40, 8A | | ATM 3-30-1964/76 | Development and Industrial Commission |
| 40, 8D | 98/1949 | ATM 3-19-1973/82 | Historical Commission |
| 40, 8E | | ATM 3-19-1973/78 | Youth Commission |
| 40, 8G | | ATM 4-29-2002/44 | Mutual Aid - Police Department |
| 40, 21 | | ATM 3-15-1954/45 | Gravel removal |
| 40, 21, p. 23(a) | | STM 6-14-1983/5 | Handicapped parking spaces |
| 40, 21, p. 24 | | STM 6-14-1983/6 | Unauthorized use of handicapped parking spaces; penalty |
| 40, 21E | | ATM 4-16-1996/14 | Municipal charges and bills |
| 40, 220 | | STM 6-12-1973/3 | Selectmen authorized to set towing regulations |
| 40, 57 | | ATM 4-17-1990/8 | License denial for nonpayment of taxes and charges |
| 40, 58 | | ATM 4-16-1991/24 | Lien on real property for nonpayment of certain charges |
| 40A, 8 | | ATM 3-23-1959/38 | Reconsideration of ordinance or bylaw after unfavorable action |
| 41, 1 | | ATM 3-3-1930/64 | School Committee |
| 41, 1 | | ATM 3-3-1930/68 | Board of Health |
| 41, 1 | | ATM 5-7-1963/22 | Board of Public Welfare |
| 41, 23a | | ATM 3-23-1964/2 | Appointment of Executive Secretary by Selectmen |
| 41, 70 to 72 | 245/1988 | ATM 3-19-1931/70 | Planning Board |
| 41, 73 to 81 | | ATM 3-19-1931/72 | Board of Survey |
| 41, 81A to 81Y | | ATM 3-28-1951/28 | Planning Board |
| 41, 81U | | ATM 4-16-1991/16 | Use of performance bond or cash deposit by town |
| 41, 97A | 595/1948 | ATM 3-20-1950/16 | Police Department |
| 41, 1086 | 19/1963 | ATM 3-16-1964/11 | Police officer compensation |
| 41, 1001 | | STM 6-14-1976/2 | Indemnification of officers |
| 43, 103A | | ATM 3-12-1946/7 | Absentee voting |
| 44, 28C(f) | | STM 11-28-2001/9 | Delinquent Trash Fees added to Real Estate Tax Bill |
| 44, 53C | | ATM 3-19-1973/56 | Off-duty police work details |
| 44, 53C | | STM 12-03-2001/16 | Police/Special Detail Fund |
| 44, 53D | | STM 11-13-1996/12 | Revolving account for receipts received in connection with recreation courses |
| 44, 53E1/2 | | ATM 4-28-1998/66 | Recreation -Establish Annual Revolving Fund (Ice Arena) |

| <u>MGLC./Sec.</u> | <u>Chapter/Acts of</u> | <u>Adoption Date/Art. No.</u> | <u>Subject</u> |
|-------------------|------------------------|-------------------------------|------------------------------------------------------------------------|
| 44, 53E1/2 | | STM 11-02-1999/72 | Veterans/Elderly - Establish Annual Revolving Fund (Senior Van) |
| 44,53E1/2 | | ATM 4-18-2006/28 | Zoning Board of Appeals – Establish Annual Revolving Fund |
| 44, 53F1/2 | | ATM 4-15-1997/36 | Enterprise fund for operation of recycling facility |
| 44, 65 | | ATM 3-21-1955/23 | Vacation pay |
| 46, 42A to F | | ATM 3-22-1983/84 | Water rates to become lien on real estate |
| 48, 59A | | ATM 5-14-2001/87 | Mutual Aid - Fire Department |
| 53, 9A | | STM 1-10-1966/12 | |
| 54, 103A | | STM 4-23-1956/18 | Absentee voting |
| 58, 7A to D | | STM 10-29-1962/3 | |
| 59, 5, cl. 37A | | ATM 4-18-1989/7 | |
| 59, 5, cl. 41B | 653,1982 | STM 4-9-1985/19 | Tax exemption for elderly persons |
| 59, 5, cl. 41C | 73/1986 | ATM 4-17-1990/5 | Tax exemption for elderly persons |
| 59, 57C | 653/1989 | ATM 4-16-1991/26 | Quarterly tax bills |
| 59, 5K | 127/1999 | ATM 5-25-2006/33 | Senior Citizen Property Tax Work off Abatement Program |
| 60, 2 | 281/1990 | ATM 4-21-1992/6 | Abatement of tax balances under \$10.00 |
| 60, 3C | | STM 11-15-1993/6 | Local educational fund |
| 64G, 3A | | ATM 3-17-1986/90 | Local room occupancy excise tax |
| 71, 16 to 161 | | 1964 Election | Regional school district |
| 71, 71E | 639/1977 | ATM 3-26-1979/68 | |
| 80, 1 to 9 | | ATM 3-28-1951/29 | |
| 82, 37 | 130/1925 | STM 11-27-1931/7 | Building lines |
| 82, 37 | | ATM 3-12-1935/29 | Building lines |
| 85, 11A and B | | ATM 3-24-1970/86 | Bicycle Safety Act |
| 90, 20A 1/2 | | STM 1-18-1982/22 | Parking violations |
| 90, 20C | | STM 6-12-1973/2 | Parking violation fines |
| 98 | | ATM 3-28-1951/30 | Gravel removal |
| 101, 8 | | ATM 3-31-1975/91 | Transient vendors |
| 136, 4B | | STM 10-23-1961/7 | Sunday operation of bowling alleys |
| 138, 12B | | STM 6-14-1983/4 | Prohibition of nudity in places holding liquor licenses |
| 139, 1 to 3 | | ATM 3-10-1934/44 | Dangerous buildings |
| 140, 147A | 308/1985 | STM 11-14-1994/24 | Regulation of dogs |
| 143,32 | | ATM 4-28-1998/64 | Restrictions on part-time Building Commissioner & Local Inspector |
| 143, 34 | | ATM 4-28-1998/63 | Three Year Appointments for Building Commissioners and Local Inspector |
| 147, 16C | | ATM 3-15-1954/40 | Police Department workweek |
| 148, 26C | | ATM 3-18-1980/40 | Smoke and heat detectors |
| 148, 26E | | ATM 3-18-1980/41 | Smoke detectors |
| 148, 26G | | STM 10-24-1983/12 | Automatic sprinkler systems |
| 148, 26H | | ATM 4-17-1990/19 | Automatic sprinklers in lodging and boarding houses |
| 148, 26I | | STM 11-13-1996/36 | Automatic sprinkler systems for multiple dwelling units |
| 184,31-33 | | ATM 4-21-1998/13 | Preservation Restrictions on Stetson Hall |
| 297 | | ATM 4-2-1956/104 | Industrial Development Commission |
| | 211/1936 | ATM 3-22-1948/22 | Board of Survey |
| | 593/1951 | ATM 3-18-1952/22 | Pension for Superintendent of Schools |
| | 624/1952 | ATM 3-16-1953/5 | Increase in pensions |
| | 143/1954 | ATM 3-15-1954/3 | Assessments for betterments |
| | 386/1953 | ATM 3-15-1954/41 | |
| | 273 and 410/1955 | STM 12-21-1955/1 | |

| <u>MGLC./Sec.</u> | <u>Chapter/Acts of</u> | <u>Adoption Date/Art. No.</u> | <u>Subject</u> |
|-------------------|----------------------------|-------------------------------|------------------------------------------------------------|
| 273, Sec. | STM 12-21-1955/2 | | |
| | 15/1955 1957 | ATM 3-25-1957/92 | Removing firefighters from civil service |
| | 513/1959 | ATM 4-4-1960/61 | Increasing pensions |
| | 223/1957 | STM 7-10-1961/21 | Conservation Commission |
| | 647/1960 | ATM 4-11-1961/76 | Increasing pensions |
| | 322/1961 | STM 7-10-1961/20 | Towing for snow removal |
| | 737 and 143 | STM 12-11-1961/3 | Fees for gas fittings |
| | 401/1966 | ATM 4-10-1967/64 | Coverage of officials under workmen's compensation |
| | 597/1982 | STM 6-14-1983/3 | License plates for former prisoners of war |
| | 75/1983 | STM 4-9-1984/3 | Municipal Handicapped Commission |
| | 324/1983 | STM 4-9-1984/2 | Police officers and firefighters laid off in 1981 and 1982 |
| | 727/1985 | ATM 5-19-1987/105 | |
| | 188/1985 | STM 12-11-1989/6 | Equal Education Opportunity Grant |
| | 550/1987 | ATM 4-18-1989/80 | |
| | 291/1990 | ATM 4-16-1991/63 | 911 service |
| | 138, Secs. 228 to 231/1991 | STM 9-16-1991/1 | Teachers' summer pay |
| | 188/1985 | ATM 4-21-1992/78 | Equal Education Opportunity Grant |
| | 235/1994 | STM 11/3/1997/S | Credited service for firefighters and police officers |
| 40, 22F | | ATM 4-26-2004/45 | Fire department to establish own fees. |

CHAPTER A202

OFFICERS, BOARDS, COMMITTEES AND COMMISSIONS

The following is an alphabetical listing of actions affecting officers, boards, committees and commissions. Consult municipal records for a more detailed description of the action.

| <u>Name</u> | <u>Adoption Date/Art. No.</u> | <u>Description</u> |
|--------------------------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Airport Commission | STM 1-10-1966/26 | Selectmen authorized to establish |
| Ambulance services | STM 12-11-1961/4 | 5-member committee established to have jurisdiction over the setting and the collecting of ambulance fees |
| | STM 4-14-1986/3 | 3-member committee established to have jurisdiction over the abatement of uncollected ambulance fees |
| | ATM 4-16-1996/13 | Committee disbanded |
| Auditors | ATM 3-12-1932/15 | Office abolished |
| Board of Appeals | STM 6-17-1968/6 | Membership reduced to 5 |
| Board of Recreation | STM 12-19-1968/3 | Authorized to act as Park Commissioners |
| Board of Selectmen | ATM 5-8-1962/49 | Membership raised to 5; terms established |
| | ATM 5-7-1963/21 | Designation as members of Board of Public Welfare rescinded |
| Board of Sewer Commissioners | ATM 5-15-1962/72 | Terms established |
| Building Inspector | ATM 4-5-1971/105 | Selectmen authorized to employ |
| Business and Industrial Commission | ATM 5-15-1962/74 | Terms established |
| Clerk/Registrar | STM 05-08-2000/5 | Authorize Home Rule Petition to Establish Position of Clerk/Registrar |
| Clerk/Treasurer | STM 05-08-2000/5 | Abolish the Position of Clerk/Treasurer |
| Clerk/Treasurer | STM 5-11-1981/1 | Authorized to set fees and charges for Town Clerk services |
| | ATM 4-11-1983/96 | 3-year term of office |
| Collector | ATM 4-11-1983/95 | 3-year term of office |
| Committees generally | ATM 3-15-1954/19 | Progress reports to be submitted every 2 months to appointing agent; appointing agent to replace inactive members |
| Community Preservation Committee | STM 11-8-2004/2 | Established |
| Council for the Aging | ATM 3-20-1963/94 | Established |
| Government Study Committee | ATM 4-29-2002/2 | Established |
| Highway Supervisor | STM 10-24-1949/21 | 3-year term of office |
| Housing Authority | STM 7-6-1964/25 | Selectmen authorized Committee to appoint and later have elected |
| Housing Authority | ATM 3-23-1965/73 | Established for the Elderly |
| Institutional Open Space Committee | STM 5-23-2005/1 | Established, members to be appointed by Moderator |
| Master Plan Implementation Committee | ATM 04-23-2001/19 | Establishment of Committee |
| Moderator | ATM 3-20-1979/48 | Term of office extended from 1 to 3 years |
| | ATM 4-3-1978/108 | Vacancies on boards or committees appointed by the Moderator should be filled within 30 days, except as provided in the General Laws |
| Municipal Space Needs Committee | ATM 3-15-1976/1 | Establishment |
| Municipal Space Needs Committee | ATM 04-15-1997/3 | Change of Membership Requirements |
| | ATM 4-15-1997/3 | Changes in terms of office; vacancies |

| <u>Name</u> | <u>Adoption Date/Art. No.</u> | <u>Description</u> |
|----------------------------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Public Works Commissioners | ATM 4-16-1991/10 | Authorized as members of the Joint Water Board to handle documents to provide EPA/DEP access to property owned jointly by the Towns of Randolph and Holbrook |
| School Planning and Building Committee | ATM 3-15-1971/8 | Membership changed from 14 to 10 |
| Treasurer/Collector | STM 05-08-2000/5 | Authorize Home Rule Petition to Establish Position of Treasurer/Collector |
| Treasurer | ATM 3-20-1979/15 | Term of office extended from 1 to 3 years |
| Tree Warden | STM 10-24-1949/20 | 3-year term of office |
| Youth Commission | STM 7-6-1964/2 | Membership raised from 15 to 25 |

CHAPTER A203 SPECIAL ACTS

The following is a list of the Special Acts adopted in General Court pertaining to the Town of Randolph:

| <u>Subject</u> | <u>Historical Information</u> |
|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Exemption of Dog Officer from the Civil Service Law | Chapter 296 of the Acts of 1980, approved 6-16-1980 |
| Exemption of Executive Director of the Council on Aging from the Civil Service Law | Chapter 297 of the Acts of 1980, approved 6-16-1980 |
| Exemption of Director of Public Health from the Civil Service Law | Chapter 298 of the Acts of 1980, approved 6-16-1980 |
| Exemption of Tree Warden from the Civil Service Law | Chapter 299 of the Acts of 1980, approved 6-16-1980 |
| Exemption of School Traffic Supervisor and Assistant Town Engineer from the Civil Service Law | Chapter ____ of the Acts of 1985, approved 10-8-1985 |
| Exemption of Police Chief from the Civil Service Law | Chapter 390 of the Acts of 1992, approved 1-5-1993 repealed see ch. 354 of the Acts of 2002 (below) |
| Exemption of Town Accountant from the Civil Service Law | Chapter 391 of the Acts of 1992, approved 1-5-1993 |
| Authorizing the appointment of a member of the Board of Selectmen to the position of Executive Secretary of said Board | Chapter 305 of the Acts of 1992, approved 12-31-1992 |
| Providing for recall elections | Chapter 354 of the Acts of 1993, approved 12-30-1993 |
| Establish Position of Clerk/Registrar and Treasurer/Collector | Chapter 258 of the Acts of 2000, approved 08-31-2000 |
| Placing the Police Chief under the Civil Service Law | Chapter 354 of the Acts of 2002, approved 10-25-2002 |

CHAPTER A204

MISCELLANEOUS

The following is an alphabetical list of votes taken at Town Meeting relating to various subjects which are not in the nature of material which would be codified but which may be of interest to the town.

| <u>Subject</u> | <u>Adoption Date/Art.No.</u> |
|--------------------------------------------------------------------------------------------------------------------------|------------------------------|
| Town labor: only citizens of Randolph to be employed | ATM 5-9-1932/8 |
| Land set aside for War Memorial | ATM 3-17-1952/13 |
| Use of parking meters discontinued | ATM 3-15-1954/13 |
| Payment policy for use of private home phones for town business | ATM 3-15-1954/18 |
| Town Clerk instructed to compile a list of all citizens 21 years of age and over for the purpose of selecting committees | STM 7-20-1959/6 |
| Fire detection alarm system to be in new residential structures; board established to set up rules and regulations | AT installed 4-4-1960/58 |
| Official Seal | ATM 4-10-1967/63 |
| Portions of Highland Avenue, High Street, Grove Street and Pond Street designated scenic roads | ATM 4-3-1978/118 |
| Indemnification of officers and employees | ATM 3-26-1979/72 |
| Receipts reserved account established for Conservation Commission | ATM 6-26-1990/9 |
| Designate Economic Opportunity Area at 41 Pacella Park Drive | STM 05-10-2000/8 |
| Tax Increment & Finance Agreement between Network Plus and Town of Randolph | STM 05-10-2000/9 |
| Designate Economic Opportunity Area at 21 Pacella Park Drive | STM 11-28-2001/7 |
| Tax Increment & Finance Agreement between Equity Partnership, VII, Sears & Roebuck, Company and Town of Randolph | STM 11-28-2001/8 |
| Rescind Tax Increment & Finance Agreement between Network Plus and Town of Randolph | ATM 4-28-2003/4 |
| Designate Economic Opportunity Area at One Posturpedic Drive | ATM 4-25-05/18 |
| Tax Increment & Finance Agreement between Stacy's Pita Chips Company, Inc. and Town of Randolph | ATM 4-25-05/19 |
| Designate Economic Opportunity Area at 27 York Avenue | STM 5-22-06/2 |
| Tax Increment & Finance Agreement between Percam, LLC Pearl Meat Packing Co. and the Town of Randolph | STM 5-22-06/2 |